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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,857	08/18/2003	Gregory Andrew Roy	G&C 30566.17-US-C3	3664

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EXAMINER
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NGUYEN, PHU K

ART UNIT	PAPER NUMBER
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2628

MAIL DATE	DELIVERY MODE
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04/08/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/642,857

Applicant(s)

ROY ET AL.

Examiner

Phu K. Nguyen

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-9,11-16 and 18-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4-9, 11-16, 18-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4-9, 11-16, 18-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over KOICHEVAR (The Tecate Data Space Exploration Utility) in view of BIEBER et al. (Design Hypertext Support for Computational Application).

As per claim 1, Kochevar teaches the claimed “method of obtaining a map in a computer graphics program” comprising: “receiving a request for a map picture” (Kochevar, the MapQuery Tool; figure 3); “obtaining a map file” (Kochevar, section 5.1 Visualizing Data in a Database; pages 161-162; the displayed map in figure 6); “determining, from the map file, a uniform resource locator (URL) that identifies a storage location of map data, wherein the map data defines one or more map objects of the map picture” (Kochevar, section 5.2, Browsing the World Wide Web; page 162); and “obtaining the map data from the location, wherein the obtained map data satisfies the request for the map picture” (Kochevar, figure 7). It is noted that Kochevar does not teach the map picture is “vector based” map picture. However, Kochevar’s graphical images on the web pages or html.doc (section 5.2, page 162) contain several different formatted graphical objects (Kochevar, any data source or repository whose access is controlled via a well-defined software interface; 1<sup>st</sup> paragraph, section 1, Introduction,

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page 157) including the “vector based” map picture as claimed (see also Bieber for an example of the well-known vector-based map, page 100, column 2, lines 8-12). Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made, to down load the map picture from the Internet WebPages in Kochevar’s reference containing “vector based” map picture because of Kochevar’s system ability to access to an unlimited number of graphical web sites where the “vector based” map picture is used. Applicant’s arguments filed on January 10, 2008 have been fully considered, but they are not deemed to be persuasive. Applicant argues:

(1) Kochevar does not teach, disclose or suggest obtaining a map file in response to a request for a map picture.

In section 5.1, when a user mark a region of interest, depend on how the requested display data is selected by a user, either the meta-data associated with the data-set represented by the icon is displayed in a separate window, or a query message is sent to the Database requesting the actual data. In order to display a map (figure 6), it is inherently that the system must access to a file or data-set to collect the information in order to render the display.

(2) Kochevar does not teach, disclose or suggest determining from a map file, a URL that identifies a storage location.

The display of figure 6 shows a map of the selected portion of the earth, which also contains 3D icons cloned from a Hyperlink prototype object and store a URL. The map file, which is used to render the display in figure 6, inherently contains the data of

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the 3D icons and also their URL. Kochevar shows an example of the implementation of a WWW icon (page 158, figure 2), which is a map object of the map in figure 6.

(3) Kochevar does not teach, disclose or suggest a URL that identifies a storage location of vector based map data.

Once selected, the home page for a Web site is visualized. The text and imagery for the home page appears similarly as it would when visualized using a hypertext based browser like Mosaic (Kochevar, page 162, column 1, section 5.2, Browsing the World Wide Web). The text and imagery on the Website is the map objects of the map picture 6, in which these map objects can be any form of objects appeared on a World Wide Web (Kochevar, any data source or repository whose access is controlled via a well-defined software interface; 1<sup>st</sup> paragraph, section 1, Introduction, page 157). For example, it can be a geographic feature of a city on the display earth map, which is well known in the art as created by a vector based map data. Applicant continues to argue against the well known of a vector based data map, Examiner uses the Bieber reference as an example to show the well known of a vector based data map (page 100, column 2, lines 8-12).

(4) Kochevar does not teach, disclose or suggest vector based map data that defines one or more map objects of a requested map picture.

As showed in Examiner's rejection, the text and imagery displayed by the Web site, which are hyperlinked to the selected icons in the map of the selected portion of the earth (figure 6), can be created from any well known form of the data based.

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Examiner uses the city map of south Florida Districts to illustrate the well known of a city map using a vector based database.

(5) Kochevar does not teach, disclose or suggest displaying a map picture having vector based map data.

Again, Applicant argues about a map picture having vector based map data. Examiner would like to point out that all the text and imagery of the Web sites, hyperlinked to the map objects in the map of figure 6, are in any well known form of database used to render the images on the Web sites. To convince Applicant about the well known of “map picture having vector base map data,” Examiner uses the city map of south Florida Districts to illustrate the well known of a city map using a vector based database.

Claim 2 adds into claim 1 only the map data required to satisfy the request is obtained (Kochevar, page 162, column 1, section 5.2, Browsing the World Wide Web).

Claim 4 adds into claim 1 “the map data is obtained from a map server across a network connection” (Kochevar, page 162, column 1, section 5.2, Browsing the World Wide Web).

Claim 5 adds into claim 1 “creating the map file” (Kochevar, section 5.1 Visualizing Data in a Database; pages 161-162).

Claim 6 adds into claim 1 “setting map display properties and a level of interaction” (Kochevar, page 161, section 4.4 The WWW Interface).

Claim 7 adds into claim 1 “the claim steps are performed by a browser plug-in” (Kochevar, page 160, column 2, section 4 application Resource).

As per claim 8, Kochevar teaches the claimed “apparatus for obtaining a map computer-implemented graphics system” comprising: a computer (Kochevar, Abstract Visualization Machine; figure 1) and an application executing on the computer (Kochevar, page 159, section 2.2, Object Manager), wherein the application is configured to : “receiving a request for a map picture” (Kochevar, the MapQuery Tool; figure 3); “obtaining a map file” (Kochevar, section 5.1 Visualizing Data in a Database; pages 161-162); “determining, from the map file, a uniform resource locator (URL) that identifies a storage location of map data, wherein the map data defines one or more map objects of the map picture” (Kochevar, section 5.2, Browsing the World Wide Web; page 162); and “obtaining the map data from the location, wherein the obtained map data satisfies the request for the map picture” (Kochevar, figure 7). It is noted that Wolff does not teach the map picture is “vector based” map picture. However, Kochevar’s graphical images on the web pages or html.doc (section 5.2, page 162) contain several different formatted graphical objects (Kochevar, any data source or repository whose access is controlled via a well-defined software interface; 1<sup>st</sup> paragraph, section 1,

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Introduction, page 157) including the “vector based” map picture as claimed (see also Bieber for an example of the well-known vector-based map, page 100, column 2, lines 8-12). Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made, to down load the map picture from the Internet WebPages in Kochevar’s reference containing “vector based” map picture because of Kochevar’s system ability to access to an unlimited number of graphical web sites where the “vector based” map picture is used.

Claim 9 adds into claim 8 only the map data required to satisfy the request is obtained (Kochevar, page 162, column 1, section 5.2, Browsing the World Wide Web).

Claim 11 adds into claim 8 “the map data is obtained from a map server across a network connection” (Kochevar, page 162, column 1, section 5.2, Browsing the World Wide Web).

Claim 12 adds into claim 8 “creating the map file” (Kochevar, section 5.1 Visualizing Data in a Database; pages 161-162).

Claim 13 adds into claim 8 “setting map display properties and a level of interaction” (Kochevar, page 161, section 4.4 The WWW Interface).

Claim 14 adds into claim 8 “the claim steps are performed by a browser plug-in”



(Kochevar, page 160, column 2, section 4 application Resource).

As per claim 15, Kochevar teaches the claimed “article of manufacture embodying logic that causes a computer-implemented graphics system to obtain a map” wherein the logic comprises: “receiving a request for a map picture” (Kochevar, the MapQuery Tool; figure 3); “obtaining a map file” (Kochevar, section 5.1 Visualizing Data in a Database; pages 161-162); “determining, from the map file, a uniform resource locator (URL) that identifies a storage location of map data, wherein the map data defines one or more map objects of the map picture” (Kochevar, section 5.2, Browsing the World Wide Web; page 162); and “obtaining the map data from the location, wherein the obtained map data satisfies the request for the map picture” (Kochevar, figure 7). It is noted that Kochevar does not teach the map picture is “vector based” map picture. However, Kochevar’s graphical images on the web pages or html.doc (section 5.2, page 162) contain several different formatted graphical objects (Kochevar, any data source or repository whose access is controlled via a well-defined software interface; 1<sup>st</sup> paragraph, section 1, Introduction, page 157) including the “vector based” map picture as claimed (see also Bieber for an example of the well-known vector-based map, page 100, column 2, lines 8-12). Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made, to down load the map picture from the Internet WebPages in Kochevar’s reference containing “vector based” map picture because of Kochevar’s system ability to access to an unlimited number of graphical web sites where the “vector based” map picture is used.

Claim 16 adds into claim 15 only the map data required to satisfy the request is obtained (Kochevar, page 162, column 1, section 5.2, Browsing the World Wide Web).

Claim 18 adds into claim 15 “the map data is obtained from a map server across a network connection” (Kochevar, page 162, column 1, section 5.2, Browsing the World Wide Web).

Claim 19 adds into claim 15 “creating the map file” (Kochevar, section 5.1 Visualizing Data in a Database; pages 161-162).

Claim 20 adds into claim 15 “setting map display properties and a level of interaction” (Kochevar, page 161, section 4.4 The WWW Interface).

Claim 21 adds into claim 15 “the claim steps are performed by a browser plug-in” (Kochevar, page 160, column 2, section 4 application Resource).

In the previous office actions, Examiner showed that any formats of the database can be used to render the display in the World Wide Web sites (Kochevar, any data source or repository whose access is controlled via a well-defined software interface; 1<sup>st</sup> paragraph, section 1, Introduction, page 157). Although the Bieber reference is newly incorporated to reject the claimed invention, but its use is only limited to illustrate the

well known of a map picture having vector based map data, which Examiner maintained the previous action.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phu K. Nguyen whose telephone number is (571) 272 7645. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (571) 272 7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Phu K. Nguyen/  
Primary Examiner, Art Unit 2628